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United States District Court
Eastern District Of Michigan

19

Jumaane A. Jones
Plaintiff,

Case: 2:24-cv-10683
Assigned To : Michelson, Laurie J.
Referral Judge: Morris, Patricia T.
Assign. Date : 3/18/2024
Description: PRIS JONES V CAMPBELL ET AL (MRS)

-VS-

Warden Campbell, Deputy Warden ^{Mc Roberts} ~~Ward~~, John Doe, Alcorer
~~ADW~~ Howard, C/o Vallejo, LT. Roe, John Doe,
Sgt. Thiem, FSS D. Baker, C/o Rombach, Director Perry
C/o Krueger, C/o Mayfield, C/o Wagus and J. Coats,
ADW, Sued in both their Individual and
official capacities, Surety Official Bonds
Defendants.

Introduction:

This is a civil rights action filed by Jumaane Jones a state prisoner, for damages and injunctive relief under 42 U.S.C. § 1983, alleging violation to the First Amendment to the United States Constitution for the Free Exercise of Religion and Freedom to peaceably to assemble, and to petition the Government for redress of grievances, and Cruel and unusual punishments inflicted in violation to the Eighth Amendment to the Constitution, and Confinement in Segregation in violation of the Due Process Clause, ~~and~~ the Equal Protection Clause of the Fourteenth Amendment to the Constitution, and in Violation of the (RLUIPA). The plaintiff also alleges the

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torts of intentional infliction of mental and emotional distress and negligence.

Jurisdiction

1. The Court has jurisdiction over the plaintiff's claims of violation of federal constitutional rights under 42 U.S.C. §§ 1331 (1) and 1343.
2. The Court has Supplemental Jurisdiction over the plaintiff's state law tort claims under 28 U.S.C. § 1367.

Parties

3. The plaintiff, Domuane Jones, was incarcerated at Gos Harrison Correctional Facility (ARF) during the events described in this complaint.
4. Defendant's Knueger, Bombach, Vallejo, Mafield, Wagus are correctional officer employed at ARF. They are sued in their individual capacities.
5. Defendant John Doe is a correctional officer employed at ARF whose name is presently unknown to plaintiff. He is sued in his individual capacity.
6. Defendant's Warden Campbell, Deputy Warden Howard, ADW,

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Deputy Warden Mc Roberts, are in charge of running ARF, and the supervision and discipline of all correctional staff at ARF are in charge of reviewing all administrative appeals of disciplinary charges filed by ARF inmates. They are sued in their individual capacities.

7. Defendant Food Service Director Perry who is in charge of the supervision of the religious kitchen, He is sued in his individual capacity.

8. Defendant FSS D. Baker who is employed at ARF, He is sued in his individual capacity.

9. Defendant John Doe is a Correctional officer employed at ARF whose name is presently unknown to plaintiff. He is sued in his individual capacity.

10. Defendant J.T. Roe is a correctional lieutenant at ARF and is responsible for conducting disciplinary hearings for prisoners accused of breaking prison rules. He is sued in his individual capacity.

11. All the defendants have acted, and continue to act, under color of State law at all times relevant to this complaint.

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Facts

12. On 11/1/23 plaintiff filed two separate grievances against the Religious Kitchen. And on 11/14/23 I had a hearing with D. Baker Director Perry they both never tried to fix the problem of the grievance. They just wanted me to sign off on the grievance, which I refused to do so.
13. On 11/19/23 plaintiff filed two more grievances on kitchen staff and C/o Krueger and John Doe. My grievance was rejected and I asked for step 2.
14. On 12/6/23 D. Baker and Director Perry and all staff involved made it their business to teach plaintiff a lesson. D. Baker started to write class II misconducts in retaliation for something I was giving permission ~~for~~ to take my religious meals back to the housing unit by D. Baker and FSS ~~Daykin~~ Daykin. And have been for 4 months until plaintiff wouldn't sign off grievance.
15. The very next day on 12/7/23 I asked D. Baker why was he harassing me and writing me class II misconducts for something you gave me permission for? And he said this for all them grievances you keep writing. He wrote me another misconduct and at 17:25 Mayfield wrote me one too.

Racial Discrimination & Religious Discrimination

16. On 12/8/23 at 06:47 right before I walked in to the chow

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hall I seen John Smith #225908 leaving the chow hall with his religious meal. And I asked him did they say anything to him or try to stop him from leaving. And he replied no. I went in to get my religious meal to take back to my unit. As I was leaving I was stopped by C/O Krueger at 06:52.

17. I told C/O Krueger that he had just let John the white guy walk out who is Jewish without stopping him. And that this is racial discrimination, religion discrimination and that they was targeting just me. He replied call it what you want and wrote a misconduct (John is Jewish and I'm Buddhist) at 12:25 D. Baker wrote me another misconduct for bringing my lunch back to the unit. D. Baker stated you will get the picture sooner or later.

18. On 12/9/23 Sgt. Thiem reviewed me on ticket at 10:28. I tried to talk to him about the harassment and targeting and retaliation that was going on against me. For filing grievance on the kitchen and it's staff and some C/O's. He told me he wasn't here for that and told me he here for the misconducts I had done.

19. At 12:45 C/O Vallejo wrote me a misconduct hampering me from practicing my religion freely. On the way to my unit I was stopped by Sgt. Thiem he told me throw my food away. And I stated I'm hungry and have nothing to eat. Him and 3 John A threw my food away and cuffed me up and took me to the

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Control Center by Sgt. Thiem and C/o John Doe. This was around 12:50 Sgt. Thiem wrote me a misconduct also.

20. Plaintiff was left in cuffs and put in a holding cage in the control center for 30 minutes. Until I spoke with LT. Roe I let him know about what was going on. He did not care about my religious beliefs. LT. Roe told me if I did not eat in the chow hall with everyone else. That the harassment would continue and get worst.
21. On 12/10/23 C/o Vallejo took my religious meal and threw it away at 12:18 leaving me with nothing to eat. Then had me cuffed up by C/o Rombach and C/o John Doe and took to Seg on orders of LT. Roe.
22. C/o Rombach and C/o John Doe as they were taking me C/o John Doe called me all type of ~~niggers~~ and ~~bitches~~. I said this is happening because yall racist. John Doe replied O Jesus I said dont put Jesus in this. He said ~~fuck~~ Jesus. I told him I was Buddhist.
23. He replied ~~fuck~~ you your religion and ~~fuck~~ Buddha. I told him I will be writing them up. He said who gives a ~~fuck~~ ~~nigger~~. The Warden not gone help you he on my side. I was posted up against the wall Shoes was snatched off and was put in a small cage with the cuffs still on me. C/o Vallejo and C/o Rombach both wrote misconducts. for lunch and dinner.

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24. On 12/11/23 C/o Vallejo took my religious meal and threw it away leaving me with nothing to eat. This was at 06:55. Then had me cuffed up by C/o Rombach and C/o ^{John Doe} (unknown) and they took me to seg on the order of LT. Roe.

25. On the way to seg C/o Rombach stated I did give a ~~fuck~~ about my religion. And I was just trying to get money. I told him my religion dont allow me to eat at the same table where a animal has been killed. So this is against my religion. He replied you dont care about religion you just trying to get a law suite. pushed me against the wall snatched my shoes off. put in cage

26. At 12:25 around lunch the same thing occurred but this time C/o Rombach threw away my food and stated cunt you see ~~noxxx~~ you not gone win at this game your playing. And him and the ^{John Doe} (unknown) C/o took me to seg. And I asked for mental health and I was put in the cage. First shift never got mental health for me.

26 Second shift finally got a ^{John Doe} (unknown) Women so I could speak with. I told her everything that had happen to me. I told her I fear for my safty and how they been harassing me taking my food leaving me with nothing to eat. I'm going on a hunger strike because this is against my religion. And she told me that it was nothing she could do about it and then she left.

27. On 12/16/23 I was called to the control center to meet with

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Deputy Warden Howard to do a check up on me. After she did she left and LT. Roe told me hold on and bring out a stack of misconduct's. I told him this is not how the Department policy and procedure works. And if I knew that this was my hearing I would have bring my evidence. He said owe well and read the first ticket. I told him that this all come from retaliation from a grievance I did.

28. LT. Roe Stated we already spoke about this. ~~And~~ And that I was guilty on all misconducts violating my Due Process Right. Then he put me in the cage called Two C/o's and had me placed in Seg.

29. On 12/17/23 & 12/18/23 The ADW, Deputy Warden Howard, and Deputy Warden McRoberts came to see me in the whole. And still nothing was resolved. They told me I had to see SCC and that I was going to a level 4. I was released from the hole at 04:00 on 12/18/23.

30. On 12/19/23 at 10:25 I was called to base to meet with Cpt. Morrill I showed him a paper pursuant to: PD 05.03.450 he read it and stated this don't change nothing for you still. I told him ok and went back to my cell. Not even 5 minutes went by and I was call to the control center to meet with the ADW and Deputy Howard. Fried to show them the paper and they said they didn't care about no paper. ~~free~~

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31. The Defendants asked was I going to eat. And I said will there be a Separated table for me? Or am I allow to take it back? They replied no. So I replied it's against my religion to eat at the table with dead animals. This is hampering me from fully practicing my religious beliefs nothing was resolve I was sent back to my unit.

32. At 02:30 Warden Campbell and Deputy Warden McRoberts called me to base and I tried to show them the same papers and they both ~~the~~ refused to take a look. And told me nothing is going to change for you. Nothing was still resolved.

Claims for Relief

33. I am requesting Corrective Action be Implemented and Demand Enforcement and Compliance with Department Policy Directives, PD 01.04.110 (A), PD 02.03.107(B), (D)(T) PD 03.03.130 (F) (G), (J), (K) (H), PD 05.03.150, Department Work Rules, Rule #1, #2, #3, #5, #13, #14, #47.

34. Plaintiff have been subjected to pattern or practice of conduct by all defendants named in this complaint, (a) Retaliation, (b) Campaign Harassment, (c) Inhumane Treatment, (d) Mental, Personal, and physical Abuse, (e) Failing to Maintain Good Order and Discipline (f) Racial and Ethnic Intimidation, (g) Religious Discrimination, Racial Discrimination, Religious Indifference and Deliberate

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Indifference, (h) Abuse of Authority, (i) Various Procedural Due Process Violations, And Falsified Class # misconducts written in Retaliation for filing grievances.

35. In violation of Plaintiff's 8th Amendment cruel and unusual punishment, Plaintiff's due process of the law in violation of the 14th Amendment to the United States Constitution.

36. Also in violation of Plaintiff 1st Amendment to the United States Constitution for the Free Exercise of Religion and Freedom to peaceably assemble, and to petition the Government for redress of grievances.

37. The Defendants Actions also Constitutes the Torts of intentional infliction of mental and emotional distress and negligence under the law of Michigan.

42 USCS § 2000cc

Substantial burdens States? General rule. No government shall impose or implement a land use regulation in a manner that impose a substantial burden on religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution.

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Relief Requested

Wherefore, plaintiff requests that the court grant the following relief:

A. Issue a declaratory judgment stating that:

1. That all Defendants involved violated the Plaintiff's rights under the 1st Amendment to the United States Constitution for the Free Exercise of Religion and for Freedom to peaceably assemble, and petition the Government for redress of grievances.
2. That all Defendants involved violated the Plaintiff's rights under the 8th Amendment to the United States Constitution for failure to take action to curb the physical abuse of prisoners.
3. Defendant LT. Roe actions in conducting the plaintiff's disciplinary hearing, Violated the plaintiff's rights under the Due Process Clause of the 14th Amendment to the United States Constitution.

B. Issue an injunction ordering defendant Campbell to:

1. Release the plaintiff from punitive sanctions with restoration of all rights and privileges.
2. Expunge the disciplinary convictions described in this complaint from the plaintiff's institutional record.

C. Award compensator damages in the following amounts:

1. \$300,000 Jointly and severally against all defendants involved for the physical and Mental, and emotional Abuse sustained as a result of plaintiff's Harassment.

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2. ~~\$30,000~~ Jointly and severally against all defendants involved for the punishment, including deprivation of liberty and amenity, and emotional injury resulting from their denial of due process in connection with the plaintiff's disciplinary proceedings.
 3. \$500,000 Jointly and severally against all defendants involved in infringing upon plaintiff's rights to freely practice his religion.
- D. Award punitive damages in the following amounts:
1. ~~\$25,000~~ against each defendant involved in the actions that took place.
- F. Grant such other relief as it may appear that plaintiff is entitled. For Retaliation, Discrimination for religion and racial, Inhumane Treatment, Targeting, and Racial and Ethnic Intimidation.

Date: 2/22/24

Submitted By Janene Jones
#527282 Janene Jones

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State Of Michigan
County Of Lenawee

Affidavit

of

, Being duly Sworn, deposes States:

1. I am currently a prisoner at the Gus Harrison Correctional Facility address being, 2727 E. Beecher Road Adrian, Michigan 49221
2. I'm competent to testify to the facts herein under the Court of law.
3. That on 12/8/23 at 06:47 witness prisoner John Smith #225908 leaving the chow hall with his religious meal. I asked him did they say anything to him or try to stop him. And he replied no. I went in to get my Religious meal tray. As I was leaving the chow hall to take my meal back. I was stopped by C/O Krueger at 06:52 and written a class II Misconduct ticket.
4. Affiant Say's nothing further.

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I declare under penalties of perjury that
all information giving in this Affidavit is
true to the best of my knowledge, and
belief.

Date: 12-19-23

Notary Public
↓

Witness
↓

Garrett #225908

Date: 12-19-23

Submitted by: Dumaine Jones
Dumaine Jones #527282

EDWIN WADE
NOTARY PUBLIC, STATE OF MI
COUNTY OF WASHTENAW
MY COMMISSION EXPIRES JUL 18, 2025
ACTING IN COUNTY OF LENAWE

Edwin Wade
12/19/23

Page
1 of 2

State Of Michigan
County Of Lenawee

Affidavit
of

, Being duly Sworn, deposes States:

1. I am currently a prisoner at the Gus Harrison Correctional Facility address being,
2727 E. Beecher Road
Adrian, Michigan 49221
2. I am competent to testify to the facts herein under the Court of law.
3. And that everything the plaintiff stated in this Federal Complaint is true with evidence to prove and show that these events has ^{occurred} ~~acted~~ with witness that will testify in court to these events that continue to occur.
4. Affiant say's nothing further.

~~_____~~

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2 of 2

I declare under the penalties of perjury that all
information giving in this Affidavit is true to
the best of my knowledge, and belief.

Submitted By: Someone Jones
Someone Jones #52782

Date: 12/23/23

Notary Public
↓

Page
1 of 2

State Of Michigan
County Of Lenawee

Affidavit
of

, Being duly sworn, deposes States:

1. I am currently a prisoner at the Gus Harrison Correctional Facility address being,
2727 E. Beecher Road
Adrian, Michigan 49221
2. I am competent to testify to the facts herein under the Court of law.
3. That on 12/1/23 FSS D. Baker Stopped me as I was coming out the chow hall. He said he was writing me another misconduct ticket. And I asked why are you doing this after tell me I could take my religious meal back? And this is when D. Baker stated. That this was for all them grievance's you been putting in. I heard him and two other inmates heard him as they ~~were~~ was going to chow. Inmates Cordarro Louis #792362 and Kalvin Porter #730613 Kitchen Staff was also asked by a fellow inmate Ricardo Towns #927505 why are they stopping

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people from going back with there meals? And Director Perry Stated for all the grievances the inmate Jones was putting in against kitchen staff and C/o's.

4. Affiant says nothing further.

I declare under penalties of perjury that all information giving in this Affidavit is true to the best of my knowledge, and belief.

Date: 12/23/23

Submitted by: *Sumaane Jones*
#521282 Sumaane Jones

Witnesses
↓

Notary Public
↓

Condorria Hollis 792362

Ricardo Towns 927505

K. Porter 730013

Jumaane Jones
527282
Macomb Correctional Facility
34625 26mile Road
Lenex Township, MI 48048

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- 1. The first part of the document is a list of names and their corresponding addresses. The names are listed in a single column, and the addresses are listed in a single column to the right of the names. The names are:

281-60 Lafayette Blvd
Detroit, mi 48226

U.S. MARSHALS